

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WILLIAM Q. ACREE,)	
)	
Plaintiff)	
)	
v.)	No. 3:16-0839
)	Judge Campbell/Bryant
)	Jury Demand
WILLIAM CHRIS WRIGHT, <i>et al.</i> ,)	
)	
Defendants)	

TO: THE HONORABLE TODD J. CAMPBELL

REPORT AND RECOMMENDATION

Plaintiff William Q. Acree, who is proceeding *pro se* and as executor of the estate of John D. Acree, has filed his motion for voluntary dismissal (Docket Entry No. 6).

From a review of the record, it appears that no defendant has been served with process and that no defendant has filed either an answer or a motion for summary judgment. Therefore, it appears that Plaintiff Acree is entitled to dismiss this action without a court order pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure.

RECOMMENDATION

For the reasons stated above, the undersigned Magistrate Judge recommends that Plaintiff Acree's motion for voluntary dismissal be granted and that he be permitted to dismiss his complaint without prejudice pursuant to Rule 41(a)(1)(A).

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has **14 days** from receipt of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have **14 days** from receipt of any objections filed in this Report in which to file any responses to said objections. Failure to file specific objections within **14 days** of receipt of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *Thomas v. Arn*, 474 U.S. 140 106 S. Ct. 466, 88 L.Ed.2d 435 (1985), *Reh'g denied*, 474 U.S. 1111 (1986).

ENTER this 7th day of June, 2016.

/s/ John S. Bryant
JOHN S. BRYANT
United States Magistrate Judge